

# Proposed General Plan Update Goals, Policies, and Implementation Actions



## QUALITY NEIGHBORHOODS Safety and Hazards Management

### Hazards

**Goal SHM-1** Strive to protect the community from injury and damage resulting from natural catastrophes and other hazard conditions. (SJ2020 GP)

#### *SHM-1 Hazards Policies*

- Policy SHM-1.1 Permit development only in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level. (SJ2020 GP)
- Policy SHM-1.2 Provide for continued essential emergency public services during natural catastrophes. (SJ2020 GP)
- Policy SHM-1.3 Update, as necessary, the San José Building Code, Fire Prevention Code and Municipal Code to address geologic, fire, flooding and other hazards. (SJ2020 GP Updated)
- Policy SHM-1.4 Promote awareness and caution among San José residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, and fire hazards. (SJ2020 GP)
- Policy SHM-1.5 Undertake disaster preparedness planning in cooperation with other public agencies and appropriate public-interest organizations. (SJ2020 GP)

#### *SHM-1 Hazards Actions*

- Action SHM-1.6 Assist the County of Santa Clara with periodic updates of the County-wide Area Plan for emergency response. (SJ2020 GP)
- Action SHM-1.7 Update the City's Emergency Operations Plan as needed based on experience in emergencies, deficiencies identified through drills and exercises, and changes in government structure and emergency organizations.

### Seismic Hazards

**Goal SHM-2** Minimize the risk of injury, loss of life, property damage, and community disruption from seismic shaking, fault rupture, ground failure (liquefaction and lateral spreading), earthquake-induced landslides, and other earthquake-induced ground deformation.

### ***SHM-1 Seismic Hazards Policies***

- Policy SHM-2.1 All new or remodeled habitable structures shall be designed in accordance with the most recent California Building Code and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.
- Policy SHM-2.2 Within seismic hazard zones identified under the Alquist-Priolo Fault Zoning Act, California Seismic Hazards Mapping Act and/or by the City of San José, geotechnical and geological investigations will be completed and development proposals approved only when the severity of seismic hazards have been evaluated and appropriate mitigation measures are provided as reviewed and approved by the City of San José Geologist. State guidelines for evaluating and mitigating seismic hazards and the City-adopted California Building Code will be followed.
- Policy SHM-2.3 The City of San José Building Official shall require conformance with state law regarding seismically vulnerable unreinforced masonry structures within the City.
- Policy SHM-2.4 The City of San José will maintain up-to-date seismic hazard maps with assistance from the California Geological Survey (or other state agencies) under the Alquist-Priolo Earthquake Fault Zoning Act and the California Seismic Hazards Mapping Act.
- Policy SHM-2.5 Locate, design and construct vital public utilities, communication infrastructure, and transportation facilities in a manner that maximizes risk reduction and functionality during and after an earthquake. (SJ2020 GP)
- Policy SHM-2.6 Development in close proximity to water retention levees or dams will be restricted unless it is demonstrated that such facilities will be stable and remain intact during and following an earthquake. (SJ2020 GP)
- Policy SHM-2.7 Encourage retrofitting of existing older buildings in the community to withstand seismic shaking consistent with adopted Building Codes, including provisions for historic buildings.

### ***SHM-2 Seismic Hazards Actions***

- Action SHM-2.8 Maintain and update City-wide seismic hazard maps for planning purposes on an on-going basis.
- Action SHM-2.9 Revise and update provisions of the City of San José Geologic Hazard Ordinance, including geologic hazard zones, as new information becomes available from state and federal agencies on faults, earthquake-induced landsliding, liquefaction, and/or lateral spreading.

- Action SHM-2.10      Require that a Certificate of Geologic Hazard Clearance be issued by the Director of Public Works prior to issuance of grading and building permits within defined geologic hazard zones related to seismic hazards.
- Action SHM-2.11      Make information available to residents and businesses on ways to reduce seismic hazards and emergency preparedness for an earthquake in conjunction with regional, state and federal agencies such as the Association of Bay Area Governments (ABAG) and the United States Geological Survey (USGS).

### **Geologic and Soil Hazards**

**Goal SHM-3**            Minimize the risk of injury, loss of life, and property damage from soil and slope instability including landslides, differential settlement, and accelerated erosion.

#### ***SHM-3 Geologic and Soil Hazards Policies***

- Policy SHM-3.1        All new or remodeled habitable structures shall be designed and built in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.
- Policy SHM-3.2        Development in areas subject to soils and geologic hazards, including unengineered fill and weak soils and landslide-prone areas, will be approved only when the severity of hazards have been evaluated and appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. The City of San Jose Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process.
- Policy SHM-3.3        Locate new public improvements and utilities outside of areas with identified soils and/or geologic hazards to avoid extraordinary maintenance and operating expenses. Where the location of public improvements and utilities in such areas cannot be avoided, effective mitigation measures will be implemented. (SJ2020 GP Updated)
- Policy SHM-3.4        All new development shall conform to the City of San Jose's Geologic Hazard Ordinance.
- Policy SHM-3.5        Ensure that any development activity that requires grading does not impact adjacent properties, local creeks and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are

also required for any grading occurring between October 15 and April 15.

- Policy SHM-3.6      Development proposed in areas with soils containing naturally occurring asbestos (i.e., serpentinite) that would require ground disturbance and/or development of new residential or other sensitive uses, will be evaluated for risks to people from airborne asbestos particles during construction and post-construction periods. Hazards shall be assessed, at minimum, using guidelines and regulations of the Bay Area Air Quality Management District and the California Air Resources Board.

### ***SHM-3 Geologic and Soil Hazards Actions***

- Action SHM-3.7      Maintain and update City-wide geologic hazard maps for planning purposes.
- Action SHM-3.8      Revise and update provisions of the City of San Jose Geologic Hazard Ordinance, including geologic hazard zones, as new information becomes available from state and federal agencies on landsliding potential and other geologic hazards.
- Action SHM-3.9      Require a Certificate of Geologic Hazard Clearance to be issued by the Director of Public Works prior to issuance of grading and building permits within defined geologic hazard zones.
- Action SHM-3.10      Require the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards, review of re and implementation of mitigation measures as part of the project approval process.
- Action SHM-3.11      Require review and approval of grading plans and erosion control plans (if applicable) prior to issuance of a grading permit by the Director of Public Works.
- Action SHM-3.12      Use published maps and site specific geotechnical reports to identify possible areas of naturally occurring asbestos within the City of San Jose's Urban Growth Boundary for use in evaluating proposed development.

### **Flooding and Urban Storm Water Runoff Hazards**

- Goal SHM-4**      Protect the community from flooding and inundation and preserve the natural attributes of local floodplains and floodways. (SJ2020 GP)

### ***SHM-4 Flooding and Urban Storm Water Runoff Hazards Policies:***

- Policy SHM-4.1      The City shall require evaluation of flood hazards prior to approval of development projects within a Federal Emergency Management Agency (FEMA) designated floodplain. New development shall be reviewed to ensure it is designed to provide protection from flooding with a one

percent annual chance of occurrence, commonly referred to as the "100-year" flood or whatever designated benchmark FEMA may adopt in the future. (SJ2020 GP Updated)

- Policy SHM-4.2      Development in watershed areas beyond the Urban Growth Boundary shall only be allowed when adequate mitigation measures are incorporated into the project design to prevent additional flood risk and unnecessary or excessive siltation of flood control ponds and reservoirs. (SJ2020 GP Updated)
- Policy SHM-4.3      Preserve designated floodway areas for non-urban uses. (SJ2020 GP)
- Policy SHM-4.4      Prepare and periodically update appropriate emergency plans for the safe evacuation of occupants of areas subject to possible inundation from dam and levee failure and natural flooding. (SJ2020 GP)
- Policy SHM-4.5      Support State and Federal legislation which provides funding for the construction of flood control improvements in urbanized areas. (SJ2020 GP)
- Policy SHM-4.6      New urban development shall only be allowed when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere. (SJ2020 GP)
- Policy SHM-4.7      Cooperate with the Santa Clara Valley Water District to develop and maintain additional flood control retention facilities in areas where they are needed or where the design capacity of existing retention facilities cannot be restored. (SJ2020 GP)
- Policy SHM-4.8      The City shall work with local, regional, state and federal agencies to ensure new and existing levees provide adequate flood protection. The City shall be an active partner with the Santa Clara Valley Water District and other levee owners with respect to National Flood Insurance Program (NFIP) levee recertification.
- Policy SHM-4.9      The City shall encourage the preservation of urban creeks and rivers to maintain existing floodplain storage. When in-channel work is proposed, engineering techniques which include the use of plant materials (bio-engineering) are encouraged.
- Policy SHM-4.10      Reduce the amount of impervious surfaces as a part of redevelopment and roadway improvements through the selection of materials, site planning, and street design where possible.
- Policy SHM-4.11      Critical facilities (such as the Water Pollution Control Plant, local hospitals, and police and fire service facilities) and large public assembly facilities shall be located and designed to mitigate potential flood risk to ensure long term operation.

Policy SHM-4.12 As a part of the City's policies for addressing the effects of climate change and projected water level rise in San Francisco Bay, the City requires evaluation of projected inundation for development projects near San Francisco Bay or at flooding risk from local waterways which discharge to San Francisco Bay. For projects affected by increased water levels in San Francisco Bay, the City requires incorporation of mitigation measures prior to approval of development projects. Mitigation measures incorporated into project design or project location shall prevent exposure to substantial flooding hazards from increased water levels in San Francisco Bay during the anticipated useful lifetime of structures.

***SHM-4 Flooding and Urban Storm Water Runoff Hazards Actions:***

- Action SHM-4.13 Implement the requirements of FEMA relating to construction in Special Flood Hazards Areas as illustrated on Flood Insurance Rate Maps. Periodically update the City's Flood Hazard Regulations to implement FEMA requirements.
- Action SHM-4.14 The City will participate in the National Flood Insurance Program (NFIP) Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed minimum NFIP requirements. Flood insurance premium rates for property owners within the city may be discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS, which are to reduce flood damage to insurable property; strengthen and support the insurance aspects of the NFIP; and encourage a comprehensive approach to floodplain management.
- Action SHM-4.15 Implement the Low Impact Development (LID) requirements of the City's Municipal NPDES Permit to the maximum extent feasible by December 2011, including reducing urban runoff from new development and redevelopment sites.
- Action SHM-4.16 Implement the Hydromodification Management requirements of the City's Municipal NPDES Permit to manage runoff flow and volume from new development and redevelopment sites.
- Action SHM-4.17 Maintain City storm drainage infrastructure in a manner that reduces flood hazards. As the storm drainage system is extended or modified, provide capacity to adequately convey the 10-year storm event.
- Action SHM-4.18 Develop and maintain a Storm Drainage Master plan and work with other agencies to develop broader Watershed Management Plans to model the City's hydrology.

- Action SHM-4.19 Monitor information from regional, state, and federal agencies on water level rises in San Francisco Bay on an on-going basis. Use this information to determine if additional adaptive management actions are needed to deal with flooding hazards from increasing sea levels for existing or new development and infrastructure.

### **Hazardous Materials**

**Goal SHM-5** Protect the community from the risks inherent in the transport, distribution, use, storage, and disposal of hazardous materials. (SJ2020 GP)

#### ***SHM-5 Hazardous Materials Policies***

- Policy SHM-5.1 The City requires and shall continue to require all users and producers of hazardous materials and wastes to clearly identify and inventory the hazardous materials that they store, use or transport in conformance with local, state and federal laws, regulations and guidelines.
- Policy SHM-5.2 The City requires proper storage and use of hazardous materials and wastes to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal by businesses and residences. The City requires proper disposal of hazardous materials and wastes at licensed facilities. (SJ2020 GP Updated)
- Policy SHM-5.3 The City shall continue to provide information to the public on the proper disposal of products by households and small businesses with practical pollution prevention options for the use, recycling, and disposal of products containing hazardous substances under City and County of Santa Clara programs for Household Hazardous Waste Disposal.
- Policy SHM-5.4 All proposals for new or expanded facilities that handle hazardous materials that could impact sensitive uses off-site will be required to include adequate mitigation to reduce identified hazardous materials impacts to less than significant levels.
- Policy SHM-5.5 Transportation routes to and from hazardous waste facilities shall be designated by the City as part of the permitting process in order to minimize adverse impacts on surrounding land uses and to minimize travel distances along residential and other non-industrial frontages. (SJ2020 GP)
- Policy SHM-5.6 Environmental review for all proposals for new residential, park and recreation, school, day care, hospital, church or other uses that would place a sensitive population in close proximity to sites on which hazardous materials are or are likely to be located must address the likelihood of an accidental release, the risks posed to human health and

for sensitive populations, and mitigation measures, if needed, to protect human health.

- Policy SHM-5.7 Land uses and development that use hazardous materials that could impact existing residences, schools, day care facilities, community or recreation centers, senior residences, or other sensitive receptors if accidentally released shall not be approved without the incorporation of adequate mitigation or separation buffers between uses.

#### ***SHM-5 Hazardous Materials Actions***

- Action SHM-5.8 The City will use information on file with the County of Santa Clara Department of Environmental Health under the California Accidental Release Prevention (CalARP) Program as part of accepted Risk Management Plans to determine whether new residential, recreational, school, day care, church, hospital, seniors or medical facility developments could be exposed to substantial hazards from accidental release of airborne toxic materials from CalARP facilities.
- Action SHM-5.9 Adopt City guidelines for assessing possible land use compatibility and safety impacts associated with the location of sensitive uses near businesses or institutional facilities that use or store substantial quantities of hazardous materials by June 2011. The City will only approve new development with sensitive populations near sites containing hazardous materials such as toxic gases when feasible mitigation is included in the projects.
- Action SHM-5.10 The City shall continue to identify source reduction and recycling as alternatives to hazardous materials land disposal whenever feasible.
- Action SHM-5.11 Continue to promote the provision of used oil recycling and/or hazardous waste recycling facilities and drop-off locations for residents.

#### **Environmental Contamination**

- Goal SHM-6** Protect the community and the environment from exposure to hazardous soil, soil vapor, groundwater, and indoor air contamination and hazardous building materials in existing and proposed structures and developments and on public properties, such as parks and trails.

#### ***SHM-6 Environmental Contamination Policies***

- Policy SHM-6.1 For development and redevelopment projects, require evaluation of the site's historical and present uses to determine if any potential environmental conditions exist that could adversely impact the community or environment.
- Policy SHM-6.2 Identification of existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users shall be provided as part of the



environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.

Policy SHM-6.3      Where a property is located in near proximity of known groundwater contamination with volatile organic compounds or within 1,000 feet of a and active or inactive landfill, the potential for indoor air intrusion of hazardous compounds shall be evaluated and mitigated to the satisfaction of the City's Environmental Compliance Officer and appropriate regional, state and federal agencies prior to approval of a development or redevelopment project.

Policy SHM-6.4      On redevelopment sites, the presence of hazardous building materials shall be determined during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-paint and asbestos-containing materials, shall be implemented in accordance with state and federal laws and regulations.

Policy SHM-6.5      On development and redevelopment sites, all sources of imported fill shall have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and state requirements.

Policy SHM-6.6      The City will encourage use of green building practices to reduce exposure to volatile or other hazardous materials in new construction materials.

Policy SHM-6.7      Any development or redevelopment site that is within 1000' of a known, suspected, or likely geographic ultramafic rock unit (as identified in maps developed by the Department of Conservation – Division of Mines and Geology) or any other known or suspected locations of serpentine or naturally occurring asbestos, shall determine if naturally occurring asbestos exists and comply with the Bay Area Air Quality Management District's Asbestos Air Toxic Control Measure requirements.

#### ***SHM-6 Environmental Contamination Actions***

Action SHM-6.8      Where an environmental review process identifies the presence of hazardous materials on a proposed development site, the City will ensure that feasible mitigation measures that will reduce impacts to human health and safety and to the environment are required of or incorporated into the projects. This applies to hazardous materials found in the soil, groundwater, soil vapor, or in existing structures.

- Action SHM-6.9      Ensure Coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control or other applicable regulatory agencies, as appropriate, on projects with contaminated soil and/or groundwater or where historical or active regulatory oversight exists.
- Action SHM-6.10      Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.
- Action SHM-6.11      Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.

### **Airport Operations**

**Goal SHM-7      PLACE HOLDER for further input from Airport**

### **Wildland and Urban Fire Hazards**

**Goal SHM-8      Protect lives and property from risks associated with fire-related emergencies at the urban wildland interface.**

#### ***SHM-8 Wildland and Urban Fire Hazards Policies***

- Policy SHM-8.1      Minimize development in very high fire hazard zone areas shown on Figure xx and plan and construct permitted development so as to reduce exposure to fire hazards and to facilitate fire suppression efforts in the event of a wildfire.
- Policy SHM-8.2      Avoid actions which increase fire risk, such as increasing public access roads in very high fire hazard areas, because of the great environmental damage and economic loss associated with a large wildfire.
- Policy SHM-8.3      For development proposed on parcels located within a very high fire hazard severity zone or wildland-urban interface area, continue to implement requirements for building materials and assemblies to provide a reasonable level of exterior wildfire exposure protection in accordance with City-adopted requirements in the California Building Code.
- Policy SHM-8.4      Require use of defensible space vegetation management best practices to protect structures at and near the urban/wildland interface.

[Figure xx: *Include Map of Areas at Risk from Wildland Fires in Eastern and Southern Foothills based upon California Department of Forestry and Fire Protection Wildland Urban Interface Fire Hazard Maps at [ftp://frap.cdf.ca.gov/fhszlocalmaps/santa\\_clara/San\\_Jose.pdf](ftp://frap.cdf.ca.gov/fhszlocalmaps/santa_clara/San_Jose.pdf)* ]

***SHM-8 Wildland and Urban Fire Hazards Actions***

- Action SHM-8.5      Periodically assist with revisions and updates of appropriate sections of the County-wide Area Plan that address emergency response to fires at the urban/wildland interface.
- Action SHM-8.6      Continue to provide information to the public on fire hazard reduction in cooperation with local, regional, and state agencies, including the County of Santa Clara FireSafe Council.